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10 **BEFORE THE**
11 **BOARD OF REGISTERED NURSING**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 2008-109

14 **ARTHUR LEWIS HAZEN, JR.,**
4932 Avila Avenue
15 Carlsbad, California 92008

A C C U S A T I O N

16 Registered Nurse License No. 648834

17 Respondent.

18
19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the
22 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
23 Affairs.

24 **Registered Nurse License**

25 2. On or about December 1, 2004, the Board issued Registered Nurse License
26 Number 648834 to Arthur Lewis Hazen, Jr. ("Respondent"). The registered nurse license
27 expired on September 30, 2006, and has not been renewed.

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1 extreme departure means the repeated failure to provide nursing care as required
2 or failure to provide care or to exercise ordinary precaution in a single situation
3 which the nurse knew, or should have known, could have jeopardized the client's
4 health or life.

5 **COST RECOVERY**

6 8. Code section 125.3 provides, in pertinent part, that the Board may request
7 the administrative law judge to direct a licensee found to have committed a violation or
8 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
9 and enforcement of the case.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Gross Negligence)**

12 9. Respondent is subject to discipline under Code section 2761, subdivision
13 (a)(1), on the grounds of unprofessional conduct and gross negligence. The circumstances are as
14 follows:

15 On or about March 6, 2005, Respondent was employed by A.M.N.
16 Healthcare, Inc. as a traveling registered nurse and was on duty at Tri-City Medical Center,
17 Oceanside, California. Respondent was assigned to a patient on the intermediate care/telemetry
18 unit. The physician's orders required the patient's blood glucose levels to be checked every hour
19 starting at 0730 hours. Respondent committed acts constituting gross negligence within the
20 meaning of California Code of Regulations, title 16, section 1442, in that Respondent failed to
21 perform checks of the patient's blood glucose levels from approximately 0939 hours until 1600
22 hours, at which time the patient was transferred to another unit. Upon transfer to the other unit,
23 the patient's blood glucose level was checked by another nurse. The blood glucose level at that
24 time was 27, which is life-threatening, requiring initiation of the hypoglycemia protocol.

25 **SECOND CAUSE FOR DISCIPLINE**

26 **(Falsify Patient and/or Hospital Records)**

27 10. Respondent is subject to discipline under Code section 2761, subdivision
28 (a), for unprofessional conduct, as defined by Code section 2762, subdivision (e). The
circumstances are as follows:


1 On or about March 6, 2005, Respondent was employed by A.M.N.
2 Healthcare, Inc. as a traveling registered nurse and on duty at Tri-City Medical Center,
3 Oceanside, California. Respondent was assigned to a patient on the intermediate care/telemetry
4 unit. Respondent falsified or made grossly incorrect, inconsistent, or unintelligible entries in
5 hospital and patient records by entering times and blood glucose levels at 1015 hours and 1200
6 hours even though Respondent had not performed the blood glucose level checks at those times
7 or at all.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein
10 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 11 1. Revoking or suspending Registered Nurse License Number 648834, issued
12 to Arthur Lewis Hazen, Jr.;
- 13 2. Ordering Arthur Lewis Hazen, Jr., to pay the Board of Registered Nursing
14 the reasonable costs of the investigation and enforcement of this case, pursuant to Code section
15 125.3; and,
- 16 3. Taking such other and further action as deemed necessary and proper.

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18 DATED: 9/25/07

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21 RUTH ANN TERRY, M.P.H., R.N.
22 Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant